



**HARRIS**  
**36502-100603**

***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***OCTOBER 6, 2003  
9:00 A.M.***

***EMERGENCY OPERATIONS CENTER  
CONFERENCE ROOM***

***AGENDA***

**Call to Order--Roll Call.**

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**File #110-132**

**Approved (4-0) Council Members Wyatt, Dowe and Fitzpatrick were out of the Conference Room when the vote was recorded.)**

A communication from the City Attorney requesting that Council convene in a Closed Meeting for consultation with legal counsel on a specific legal matter requiring provision of legal advice by counsel, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

**File #83-132**

**Approved (4-0) Council Members Wyatt, Dowe and Fitzpatrick were out of the Conference Room when the vote was recorded.)**

**1. Joint meeting of Council and the Roanoke Redevelopment and Housing Authority: (90 minutes)**

- Call to Order and Roll Call by the Roanoke Redevelopment and Housing Authority.
- Opening remarks. Mayor Smith/Chairman Fink.
- Discussion with regard to draft Statement of Purpose and Expectations.
- Closing Comments.

**File #132-178**

(The Council will convene in Closed Session for interviews for appointments to the Architectural Review Board and the Industrial Development Authority.)

**2. Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket.**

**3. Topics for discussion by the Mayor and Members of Council.**

**THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE COUNCIL CHAMBER.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***OCTOBER 6, 2003  
2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA***

**1. Call to Order--Roll Call. (Council Member Fitzpatrick was absent.)**

The Invocation was delivered by The Reverend Ken Atkins, Pastor, West End Presbyterian Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, October 9, 2003, at 7:00 p.m., and Saturday, October 11, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEGOV.COM](http://WWW.ROANOKEGOV.COM), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT [WWW.ROANOKEGOV.COM](http://WWW.ROANOKEGOV.COM), TO OBTAIN AN APPLICATION.**

## **2. PRESENTATIONS AND ACKNOWLEDGMENTS:**

Proclamation declaring the month of October 2003 as National Arts and Humanities Month.

**File #3-348**

Proclamation declaring the month of October 2003, as Crime Prevention Month.

**File #3-5**

Proclamation declaring the month of October 2003, as Family History Month, and Saturday, October 18, 2003, as Family History Celebration Day.

**File #3-323**

Proclamation declaring October 5 - 11, 2003, as Fire Prevention Week.

**File #3-70**

Proclamation declaring October 5 - 11, 2003, as Mental Illness Awareness Week.

**File #3-22**

Joint Proclamation declaring October 19 - 25, 2003, as Building Character Week.

**File #3**

## **3. CONSENT AGENDA**

**APPROVED (6-0)**

**Item C-4 was removed from the Consent Agenda for separate discussion.**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Minutes of the regular meetings of Council held on Monday, August 4, 2003; Monday August 18, 2003, and recessed until Friday, August 22, 2003.

**RECOMMENDED ACTION:** Dispense with the reading of the minutes and approve as recorded.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Thursday, October 23, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of an easement on City-owned property at Jackson Park.

**RECOMMENDED ACTION:** Concur in the request.  
**File #28-67-166**

- C-3 A communication from the City Manager requesting that Council schedule a public hearing for Thursday, October 23, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to leasing 7.05 acres of City-owned property located near Back Creek in Roanoke County.

**RECOMMENDED ACTION:** Concur in the request.  
**File #166**

- C-4 A communication from the Honorable David C. Anderson, City Treasurer, advising of his retirement, effective December 31, 2003.

**RECOMMENDED ACTION:** Receive and file.  
**File #34**

- C-5 A communication from Steven C. Buschor, Director, Parks and Recreation, advising of the resignation of The Reverend David Walton as a member of the Parks and Recreation Advisory Board.

**RECOMMENDED ACTION:** Receive and file the communication and accept the resignation.  
**File #67-110**

- C-6            A communication from Steven C. Buschor, Director, Parks and Recreation, advising of the resignation of Onzlee Ware as a member of the Parks and Recreation Advisory Board.

**RECOMMENDED ACTION:**            **Receive and file the communication and accept the resignation.**

**File #67-110**

- C-7            Qualification of the following persons:

Edward C. Bradley as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2006;

**File #110-202**

Michael F. Urbanski and Joseph B. Wright as members of the Virginia Western Community College, Board of Directors, for terms ending June 30, 2007; and

**File #110-467**

Cheryl D. Evans as a member of the Youth Services Citizen Board, for a term ending March 31, 2006.

**File #110-304**

**RECOMMENDED ACTION:**            **Receive and file.**

- C-4            **A communication from the Honorable David C. Anderson, City Treasurer, advising of his retirement, effective December 31, 2003.**

**The notice of retirement was accepted with regret.**

**File #34**

## **REGULAR AGENDA**

### **4. PUBLIC HEARINGS:**

- a. Approval of the City's issuance of general obligation bond, or bonds, in an amount estimated not to exceed \$5,000,000.00, for the purpose of financing replacement of the existing school building at the Roanoke Academy for Mathematics and Science. Richard L. Kelley, Assistant Superintendent of Operations, Spokesperson.

**Adopted Resolution No. 36502-100603 (6-0)**  
**File #53-467**

- b. Adoption of a revised Cable Television Franchise Ordinance and an ordinance approving and authorizing execution of a 15-year renewal of the Cable Television Franchise Agreement held by CoxCom, Inc., d/b/a/ Cox Communications Roanoke. Alfred T. Dowe, Jr., Council Liaison, Roanoke Valley Cable Television Committee; and Darlene L. Burcham, City Manager, Spokesperson.

**Adopted Ordinance Nos. 36503-100603 and 36504-100603 (6-0)**  
**File #448-117**

### **5. PETITIONS AND COMMUNICATIONS:**

- a. A communication from the General Registrar requesting that Council approve an emergency change in the polling place from the Jefferson Hall Gym, to the Jefferson Center, 541 Luck Avenue, S. W., temporarily; and a communication from the City Manager concurring in the request.

**Adopted Ordinance No. 36505-100603 (6-0)**  
**File #40**



- b. A communication from the Market Building Tenants Association with regard to national chains leasing space in the City Market Building. Eugene Full, Spokesperson. (Sponsored by Mayor Smith and Council Member Cutler)

**Deferred until Thursday, October 23, 2003, at 2:00 p.m.  
File #122**

## **6. REPORTS OF OFFICERS:**

- a. CITY MANAGER:

### **ITEMS RECOMMENDED FOR ACTION:**

- 1. Execution of the 2003 Regional Wastewater Collection and Treatment Contract with four area jurisdictions.

**Adopted Ordinance No. 36506-100603 (6-0)  
File #468**

- 2. Execution of a Memorandum of Understanding with the U. S. Marshal's Service Joint Fugitive Task Force of the Western District of Virginia for the Blue Ridge Fugitive Apprehension Strike Team.

**Adopted Resolution No. 36507-100603 (6-0)  
File #5**

- 3. Acceptance of Office of Domestic Preparedness State Homeland Security grant funds, in the amount of \$246,434.00; and execution of an agreement with the Virginia Department of Emergency Management.

**Adopted Budget Ordinance No. 36508-100603 and Resolution  
No. 36509-100603 (6-0)  
File #5-236-188**

4. Acceptance of Virginia Department of Emergency Management “pass-through” grant funds, in the amount of \$15,000.00; and appropriation of funds in connection therewith.

**Adopted Budget Ordinance No. 36510-100603 and Resolution No. 36511-100603 (6-0)  
File #188-236**

5. Approval of acquisition of properties identified as Official Tax Nos. 4470101 and 4480101, contingent upon return of an acceptable title search and environmental assessment, in connection with preservation and protection of the viewshed of the Blue Ridge Parkway.

**Adopted Budget Ordinance No. 36512-100603 and Ordinance No. 36516-100603 (6-0)  
File #2-67-216-529**

6. Approval of continuation of the position of Restricted Eligibility Worker; and appropriation of funds in connection therewith.

**Adopted Budget Ordinance No. 36513-100603 and Resolution No. 36514-100603 (6-0)  
File #60-72**

**BRIEFINGS:**

- Virginia Department of Transportation Long-Range Plan. (30 minutes)  
**File #77**
- Police Training Facilities. (30 minutes)  
**File #5**

b. Director of Finance:

1. Financial report for the month of August 2003.

**Received and filed  
File #1-10**

## **7. REPORTS OF COMMITTEES:**

a. A report of the Architectural Review Board recommending adoption of a resolution endorsing amendments to Architectural Review Guidelines pertaining to the installation of replacement or substitute siding. R. Brian Townsend, Director, Planning, Building and Development, Spokesperson.

**Adopted Resolution No. 36515-100603 (6-0)  
File #249**

## **8. UNFINISHED BUSINESS: NONE.**

## **9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

## **10. MOTIONS AND MISCELLANEOUS BUSINESS:**

a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Wyatt inquired about recent changes, if any, to the City's grievance procedure; i.e.: A grievance filed by a City employee proceeds through the chain of command to the City Manager and if the grievance is deemed grievable by the City Manager, it is heard by a grievance panel and the decision of the panel is binding on both parties. She also inquired about the number of grievances that are rendered non-grievable by the City**

**Manager. The City Manager advised that a written response will be forwarded to the Members of Council.**

**File #66-104-184-202**

**Council Member Bestpitch expressed appreciation to Michael Ramsey, Chair, Roanoke Public Library Board, for his service to the City and for a recent Commentary which appeared in *The Roanoke Times*, to direct attention to the library process. He encouraged citizens of Roanoke to participate in a discussion during the next several months on what library services of the future will be like, since the library system is changing from the concept of a building containing books to a system that provides a variety of resources in a variety of ways. He called attention to the need to hear from citizens with regard to those resources that are the most beneficial and how services can best be delivered.**

**File #110-323**

**Council Member Cutler referred to a proclamation that was previously issued by the Mayor proclaiming the month of October, 2003 as Family History Month, and advised that fellow members of the Fincastle Chapter of the Sons of the American Revolution were invited to attend the Council meeting inasmuch as the organization views the Virginia Room of the Roanoke City Public Library as a priceless resource and has expressed an interest in the planning process to improve the City's library system, including access to and support/protection of genealogical and historical collections in the Virginia Room.**

**Council Member Cutler commended the City's Department of Neighborhood Services upon publication of the newsletter, "Around the Block with Roanoke's Neighborhoods" which includes an article describing initial appointees to the Roanoke Neighborhood Advocates (RNA) and advises that the RNA will accept applications from neighborhood leaders to serve on its policy body.**

**Council Member Cutler encouraged Roanoke Valley residents to attend the Annual Virginia Environmental Assembly to be held in**

**the City of Roanoke on Saturday, October 26, 2003, 10:00 a.m. - 5:00 p.m., at Center in the Square, Mill Mountain Theater, which will provide an opportunity to learn about and contribute to discussions on a variety of environmental issues from water management to transportation.**

**File #3-227-323-468-529-549**

**Council Member Dowe commended the Roanoke Symphony Orchestra on the success of the Polo Cup activity which was held in Green Hill Park in the City of Salem on Saturday, October 4, 2003; and This Valley Works, under the auspices of Total Action Against Poverty, for hosting the Western Virginia Classic football game between St. Augustine College and Virginia Union which was also held on Saturday, October 4, at Victory Stadium. He congratulated both organizations on their efforts to bring these types of events to the Roanoke Valley.**

**File #122-226-261-467**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.**

## **11. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mr. Chris Craft, 1501 East Gate Avenue, N. E.: expressed concern that as a result of State budget cuts, the Virginia Department of Transportation has eliminated plans for a bridge over the Hollins Road railroad tracks; advised that promises made by the City of Roanoke to residents of the Gainsboro community should be honored; spoke against the median on Williamson Road which adversely impacts some Williamson Road businesses; called attention to the traffic congestion at Masons Mill Road and Hollins Road, N. E.; and asked that Council review the hiring practices of the City of Roanoke.**

**File #20-77-102-202-316**

**Mr. John Kepley, 2909 Morrison Street, S. E., requested that Council reconsider its vote to demolish Victory Stadium in view of thousands of signatures of Roanoke residents on a petition in support of saving this historic landmark. (No motion has been adopted by City Council to demolish Victory Stadium.)**

**File #122-132**

**Mr. Robert Gravely, 729 Loudon Avenue, N. W., advised that: Victory Stadium should be creatively marketed in lieu of constructing a new stadium; the average citizen of the City of Roanoke cannot afford the price of a ticket to an event at the Roanoke Civic Center; more jobs are needed to attract young people to the Roanoke Valley; and the need for improved maintenance of the City of Roanoke and its infrastructure.**

**File #122-192**

**Ms. Helen E. Davis, 35 Patton Avenue, N. E., spoke in support of renovating Victory Stadium. She expressed appreciation to those Members of Council who voted to support Victory Stadium's renovation and disappointment in those Council Members who did not support renovation of the stadium.**

**File #122-132**

**Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., advised that over 7000 persons signed petitions in support of saving Victory Stadium, all of whom consider Victory Stadium to be a part of their home and their heritage; however, the majority of Council saw fit not to honor their wishes. She inquired if Roanoke City is becoming a dictatorship where a few people rule to the detriment of the majority of the citizenry.**

**File #122-132**

**Mr. Robert Craig, 701 12th Street, S. E., expressed concern with regard to the City's utility tax on cellular telephone service; an increase in his real property assessment by 33 per cent; wasteful spending of taxpayers' money; and the lack of dissemination of appropriate information by Council and the City Administration to the citizens of Roanoke. He**

referred specifically to certain unknowns regarding the Farmer's Market and the Subway restaurant and the perception by some persons that the "mom and pop" types of operation in the City Market Building will be replaced by national chain restaurants. He called attention to poor maintenance of the City Market building.

File #66-42-79

## **12. CITY MANAGER COMMENTS: NONE.**

The meeting was declared in recess for two briefings and continuation of a closed session on boards and commissions.

### **CERTIFICATION OF CLOSED SESSION. (6-0)**

The following persons were appointed/reappointed to various City Council appointed Committees:

**Architectural Review Board  
File #15-110-249**

**Donald C. Harwood  
for a term ending  
October 1, 2007**

**Roanoke Civic Center  
Commission  
File #15-110-192**

**Calvin H. Johnson and  
Thomas G. Powers for terms  
ending September 30, 2006**

**Industrial Development  
Authority  
File #15-110-207**

**F. Gordon Hancock  
for a full term commencing  
October 21, 2003**

**Joint Council/Housing  
Authority Ad Hoc Committee  
to Study the Role of the  
Roanoke Redevelopment  
and Housing Authority**

**C. Nelson Harris  
Beverly T. Fitzpatrick, Jr.**

**THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL FRIDAY, OCTOBER 17, 2003, AT 9:00 A.M., AT THE ROANOKE COUNTY ADMINISTRATION CENTER, FOURTH FLOOR TRAINING ROOM, 5204 BERNARD DRIVE, S. W., FOR A JOINT MEETING OF CITY COUNCIL AND THE ROANOKE COUNTY BOARD OF SUPERVISORS WITH REGARD TO FORMATION OF A WATER AND WASTE WATER AUTHORITY.**